

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                                   **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5                                   **Minutes**

6                                   **August 3, 2007**  
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11   The Board of Educational Examiners held its monthly meeting on August 3,  
12   2007. Board Chair, Judy Jeffrey, called the meeting to order. Members  
13   attending were John Aboud, Ying Ying Chen, Brad Dirks, Tammy Duehr, Judy  
14   Jeffrey, Merle Johnson, Thomas Paulsen, and Bev Smith. Also in attendance  
15   was Dr. George Maurer, Executive Director of the Board. Jeffrey Henderson,  
16   Greg Robinson, and Jean Seeland were unable to attend the meeting.  
17

18   Bev Smith moved, with a second by Tammy Duehr, that the Board go into  
19   closed session for the purposes of discussing whether to initiate licensee  
20   disciplinary proceedings and discussing the decision to be rendered in a  
21   contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).  
22

23   **MOTION CARRIED UNANIMOUSLY.**

24   Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number**  
25   **07-04**, In the Matter of John Klopp, the Board accept the Respondent's waiver  
26   of hearing and voluntary surrender and that the Board issue an order  
27   permanently revoking the Respondent's license with no possibility of  
28   reinstatement. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson –  
29   yes; Jeffrey – yes; Paulsen – yes; Smith – yes; and Dirks – yes. **MOTION**  
30   **CARRIED UNANIMOUSLY.**  
31

32   Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number**  
33   **07-11**, In the Matter of Monte Davis, the Board find probable cause to establish  
34   a violation of the following provisions of the Code of Professional Conduct and  
35   Ethics, 282 IAC 25.3(4)(a), (b), (c), (d), (e) and order this case set for hearing.

1 Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey –  
2 yes; Paulsen – yes; Smith – yes; and Dirks – yes. **MOTION CARRIED**  
3 **UNANIMOUSLY.**

4  
5 Bev Smith moved, with a second by Ying Ying Chen, that in **case number 07-**  
6 **12**, the Board find that the evidence gathered in the investigation, including  
7 witness statements and the documentary evidence, does not corroborate the  
8 allegations in the complaint, and that the Board therefore lacks probable cause  
9 to proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr –  
10 yes; Johnson – yes; Jeffrey – yes; Paulsen – yes; Smith – yes; and Dirks – yes.  
11 **MOTION CARRIED UNANIMOUSLY.**

12  
13 Tammy Duehr moved, with a second by Bev Smith, that in **case number 07-13**,  
14 the Board find that the evidence gathered in the investigation, including witness  
15 statements and the documentary evidence, does not corroborate the allegations  
16 in the complaint, and that the Board therefore lacks probable cause to proceed  
17 with this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson  
18 – yes; Jeffrey – yes; Paulsen – yes; Smith – yes; and Dirks – yes. **MOTION**  
19 **CARRIED UNANIMOUSLY.**

20  
21 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number**  
22 **07-07**, the Board extend the 180-day deadline for issuance of the final decision,  
23 due to the need for additional time to conduct a hearing, prepare a proposed  
24 decision, and review the proposed decision by the Board. **MOTION CARRIED**  
25 **UNANIMOUSLY.**

26  
27 Merle Johnson moved, with a second by Tom Paulsen, to approve the  
28 June 22, 2007, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

29  
30 Board Reports: Judy Jeffrey announced that committee assignments were  
31 finalized in the executive committee meeting. John Aboud, Brad Dirks, and  
32 Merle Johnson will serve on the operating guidelines committee. Jeff  
33 Henderson, Tom Paulsen, Greg Robinson, and Judy Jeffrey will serve on the

1 executive committee. Tammy Duehr, Jean Seeland, and Ying Ying Chen will  
2 serve on the professional practices committee; Bev Smith will serve as a  
3 backup.

4  
5 There were no public comments.

6  
7 Executive Director, Dr. George Maurer, presented the executive director's  
8 report.

9  
10 John Aboud moved, with a second by Merle Johnson, to adopt the change to  
11 Chapter 20.58 regarding the Requirements for renewal of evaluator  
12 endorsement or license. **MOTION CARRIED UNANIMOUSLY.**

13  
14 Merle Johnson moved, with a second by Brad Dirks, to adopt the change to  
15 Chapter 14.141 regarding Business. **MOTION CARRIED UNANIMOUSLY.**

16  
17 John Aboud moved, with a second by Bev Smith, to adopt the change to  
18 Chapter 14.141(13) regarding Mathematics. **MOTION CARRIED**  
19 **UNANIMOUSLY.**

20  
21 Bev Smith moved, with a second by Merle Johnson, to adopt the change to  
22 Chapter 19.5(2) regarding Renewal (Coaching extension) and Chapter  
23 14.121(b)(9) regarding Licensure application fee. **MOTION CARRIED**  
24 **UNANIMOUSLY.**

25  
26 John Aboud moved, with a second by Brad Dirks, to adopt the change to  
27 Chapter 14.140(11) regarding School nurse and include the change to read  
28 baccalaureate degree without the word nursing. **MOTION CARRIED**  
29 **UNANIMOUSLY.**

30  
31 The Board discussed the proposed change to Chapter 14.142(1)(c) regarding

1 PK-12 Principal and PK-12 supervisor of special education. John Aboud  
2 moved, with a second by Merle Johnson, to table this notice until the rule is  
3 revised. **MOTION CARRIED UNANIMOUSLY.**

4  
5 Tom Paulsen moved, with a second by Brad Dirks, to file under Notice of  
6 Intended Action, the proposed change to Chapter 11.4(1) regarding Complaints,  
7 investigations, contested case hearings. **MOTION CARRIED UNANIMOUSLY.**

8  
9 The Board discussed the proposed change to Chapter 25.3(6) regarding  
10 Code of Professional Conduct and Ethics. John Aboud moved, with a second by  
11 Tammy Duehr, to table this notice until further clarification in the rule is made.  
12 **MOTION CARRIED UNANIMOUSLY.**

13  
14 The Board discussed the proposed change to Chapter 11.37 regarding  
15 Complaints, investigations, contested case hearings. John Aboud moved, with  
16 a second by Tammy Duehr, to table this notice until additional changes are  
17 made. **MOTION CARRIED UNANIMOUSLY.**

18  
19 John Aboud moved, with a second by Merle Johnson, to file under Notice of  
20 Intended Action, the proposed change to Chapter 17.7(3) regarding Renewal of  
21 Licenses. **MOTION CARRIED UNANIMOUSLY.**

22  
23 Merle Johnson moved, with a second by Bev Smith, to file under Notice of  
24 Intended Action, the proposed change to Chapter 14.114 regarding  
25 Requirements for an administrator license. **MOTION CARRIED**  
26 **UNANIMOUSLY.**

27  
28 The Board discussed the composition of the board as established by the  
29 legislature.

30  
31 National board certification was discussed and whether the Board wants to  
32 support legislation to have the funding re-instated that the legislature did not  
33 extend. This item will be brought back to the board at a later date.

1 The proposed change to Chapter 11.28(1) and (2) regarding resolution of a  
2 complaint within 180 days was discussed and the Board decided further  
3 clarification in the rule will need to be made.

4  
5 The Board discussed issues to be taken care of during the upcoming legislative  
6 session.

7  
8 The proposed change to Chapter 17.5(1) regarding Renewal requirements for  
9 the standard license was discussed and the Board decided amendments to the  
10 rule need to be made.

11  
12 The proposed change to Chapter 14.104 regarding Applicants from foreign  
13 institutions was discussed and the Board decided additional information needs  
14 to be obtained.

15  
16 A discussion was held regarding FY 2008 board goals.

17  
18 Merle Johnson moved, with a second by Ying Ying Chen, that in **PFW 07-14**,  
19 Crissa Stephens, the Board deny the Petition for Waiver. **MOTION CARRIED**  
20 **UNANIMOUSLY.**

21  
22 Tom Paulsen moved, with a second by Merle Johnson, that in **PFW 07-13**,  
23 Gary McEldowney, the Board grant the Petition for Waiver. **MOTION CARRIED**  
24 **UNANIMOUSLY.**

25  
26 Merle Johnson moved, with a second by John Aboud, that in **PFW 07-12**,  
27 Kathy Winters, the Board grant the Petition for Waiver conditioned on obtaining  
28 verbal authorization from the district approving her teaching. **MOTION**  
29 **CARRIED UNANIMOUSLY.**

30  
31 Bev Smith moved, with a second by Merle Johnson, that in **PFW 07-11**,  
32 Nan Kloberdanz, the Board deny the Petition for Waiver. **MOTION CARRIED**  
33 **UNANIMOUSLY.**

1 Tom Paulsen, moved with a second by Merle Johnson, that in **PFW 07-15**,  
2 Laura Stanner, the Board approve the Petition for Waiver for methods and deny  
3 the remainder of the waiver. **MOTION CARRIED.** Tammy Duehr recused  
4 herself from voting.

5  
6 Merle Johnson, moved with a second by Tammy Duehr, that in **PFW 07-10**,  
7 Denise Lux, the Board deny the Petition for Waiver. Tom Paulsen recused  
8 himself from voting. **MOTION CARRIED.**

9  
10 Merle Johnson, moved with a second by Bev Smith, that in **PFW 07-17**,  
11 Matthew Strom, the Board approve the Petition for Waiver for 60 days.  
12 **MOTION CARRIED UNANIMOUSLY.**

13  
14 Merle Johnson, moved with a second by Bev Smith, that in **PFW 07-16**,  
15 Anita Dutta, the Board deny the Petition for Waiver. **MOTION CARRIED**  
16 **UNANIMOUSLY.**

17  
18 John Aboud, moved with a second by Merle Johnson, that in **PFW 07-18**,  
19 Michael Fox, the Board table the Petition for Waiver until additional information  
20 is obtained. **MOTION CARRIED UNANIMOUSLY.**

21  
22 There being no further business, Board Chair, Judy Jeffrey, adjourned the  
23 meeting.